

JAP:AS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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14-878 M

UNITED STATES OF AMERICA

COMPLAINT

- against -

(21 U.S.C. §§ 952(a) and 960)

BURT CAPRIETTA,

Defendant.

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

JOHN MOLONEY, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, on or about October 20, 2014, within the Eastern District of New York and elsewhere, the defendant BURT CAPRIETTA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a schedule II controlled substance.

(Title 21, United States Code, Section 952(a) and 960)

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. On or about October 20, 2014, the defendant BURT CAPRIETTA arrived at John F. Kennedy International Airport in Queens, New York, aboard Caribbean Airlines Flight 520 from Port of Spain, Trinidad and Tobago.

2. Defendant BURT CAPRIETTA was selected for a Customs and Border Protection (“CBP”) examination. The defendant presented one black suitcase, which he stated he had owned for a long time as he traveled with it everywhere he went. When the defendant opened the bag, the CBP officer noticed unusually thick side panels and a distinct odor emanating from the bag.

3. The defendant BURT CAPRIETTA and his personal effects were then transported to a private search area. The side panels were probed, revealing a white powdery substance, which CBP officers field-tested positive for the presence of cocaine. The defendant admitted knowing that the cocaine was in the bag and admitted that it was second time smuggling drugs into the country.

4. The total approximate gross weight of the cocaine recovered from the defendant BURT CAPRIETTA was 3,240.6 grams.

WHEREFORE, your deponent respectfully requests that the defendant BURT CAPRIETTA, be dealt with according to law.

S/ John Moloney

JOHN MOLONEY
Special Agent, United States Department of
Homeland Security, Homeland Security
Investigations

Sworn to before me this
20th day of October, 2014

S/ Ramon Reyes, Jr.

THE HONORABLE RAMON E. REYES, JR.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK